

AMENDED PERMIT

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF
THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 08 2004

Returned to applicant for correction DEC 01 2004

Corrected application filed

Map filed OCT 29 1985 under 49483

The applicant **Lyon County**, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Permit 44397 Certificate 12661**

1. The source of water is **Underground**
2. The amount of water to be changed **2.0 AFA**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T.16N., R.21E., M.D.B.&M. or at a point from which the N $\frac{1}{4}$ corner of said Section 23 bears N. 29°17' W. a distance of 2466.0 feet. (Well D-1)**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T.17N., R.23E., M.D.B.&M. or at a point from which the E $\frac{1}{4}$ corner of said Section 17 bears N. 88°47'E. a distance of 1321.4 feet.**
7. Proposed place of use **Please refer to Exhibit "A"**
8. Existing place of use **NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T.17N., R.23E., M.D.B.&M. (20 Acres) Note: Acres to be stripped from the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T.17N., R.23E.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing Well (Dayton Well #1)**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **Drilled and cased 14 inch well to a depth of 180 feet, pump, motor and distribution system.**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **For proposed Point of Diversion, Please refer to map filed in support of Application 49486/49483. For proposed Place of Use, Please refer to map filed in support of**

Application 71476. For existing Point of Diversion and Place of Use, Please refer to map filed in support of 44397.

By **Chuck Zimmerman**
s/Chuck Zimmerman
3264 Goni Rd, Suite 153
Carson City, NV 89706

Compared gkl lt

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 44397, Certificate 12661 is issued subject to the terms and conditions imposed in said Permit 44397, Certificate 12661 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64782, 64783, 64784, 64785, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491 and 73992 shall not exceed 7,744.01 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0103 cubic feet per second, but not to exceed 2.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 7, 2006

Proof of completion of work shall be filed before:

December 7, 2006

Water must be placed to beneficial use on or before:

November 7, 2009

Proof of the application of water to beneficial use shall be filed on or before:

December 7, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of September A.D. 2007


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

Question #7 - Proposed Place of Use:**T. 16 N., R. 21 E., M.D.B. & M.:**

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, all lying North of the Carson River, Section 26; SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying North of the Carson River, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of the Carson River, Section 34.

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; N $\frac{1}{2}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19.

T. 17 N., R. 21 E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T. 17 N., R. 22 E., M.D.B. & M.:

E $\frac{1}{2}$ SW $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying within Lyon County, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22; Portions of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27; Portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28; S $\frac{1}{2}$ Section 29 lying within Lyon County; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30; All of Section 31 lying within Lyon County; N $\frac{1}{2}$ N $\frac{1}{2}$, Portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32; Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.